EAST BAY
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Mr. Paul Marshall
California Department of Water Resources
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By FAX: 916-653-6077

Mr. Dan Meier, Project Manager
Bureau of Reclamation
South Delta Improvement Program
2800 Cottage Way, MP-700
Sacramento, CA 95825

Dear Messrs. Marshall and Meier:

Subject: **EBMUD Scoping Comments on the South Delta Improvements Program**

The East Bay Municipal Utility District (EBMUD or District) appreciates the opportunity to offer comments in response to the Notice of Preparation (NOP) for the South Delta Improvements Program (SDIP or Project) Environmental Impact Report/Environmental Impact Statement (EIR/EIS). EBMUD has supported the CALFED Bay-Delta program as an active participant in several stakeholder processes and forums. The District remains committed to working with CALFED agencies and stakeholders to cooperatively develop and implement a Bay-Delta solution that improves the ecosystem, water quality and water supply reliability.

EBMUD has invested substantial resources in the development and implementation of an integrated resources plan that includes: a fishery management plan; aggressive water conservation and reclamation; Delta levee protection adjacent to the Mokelumne Aqueducts; and optimization of water supplies under its CVP contract and its Mokelumne River water rights. EBMUD's objectives are successful implementation of its own integrated resource plan and the exercise of its water rights and entitlements, while supporting the CALFED Bay-Delta Program goals and objectives.

Consistent with this objective EBMUD offers the following specific comments:

1. Project Purpose and Alternatives

The purpose and need for the project is not explicitly identified in the NOP. The cover page of the NOP states that the project would increase the maximum allowable diversion capacity of State facilities at Clifton Court Forebay, but does not state the specific purpose for which that increased capacity would be used. The Draft EIR/EIS for the SDIP would be strengthened considerably by specifically describing how the increased capacity would be used and what

needs it will serve. This information would also help readers understand what alternatives should be analyzed. For example, if the increased capacity will be used to meet growing municipal and agricultural water demands as stated in the Background Section of the NOP (See pg. 1 of Attachment to NOP), consideration of demand management options as an alternative to increased pumping would be appropriate and informative.

The Background Section of the NOP also refers to the CALFED Final EIR/EIS published in July 2000. Will the SDIP DEIR/EIS be "tiered" from this programmatic environmental document, or is the SDIP an independent project with a stand alone EIR/EIS?

2. Mokelumne River Fishery

EBMUD will review the DEIS/EIR to determine the degree to which the SDIP operational changes associated with increased pumping capacity for south of Delta exports may adversely impact the survival of Mokelumne juvenile salmon, and increase straying of returning adult salmon. The Project Environmental Impact Report/Environmental Impact Statement (EIR/EIS) should fully analyze and disclose these potential effects. Adequate mitigation measures should be proposed, adopted, and implemented for any adverse impacts identified.

Increased straying during both adult and juvenile salmonid migration through the Delta would be anticipated due to: (i) increased flow towards Banks Pumping Plant; and (ii) different tidal flow patterns caused by Clifton Court Forebay gate operations and flow barriers.

High volume flows of Sacramento River water through the Delta, via the Delta Cross Channel or any reconfiguration of Delta channels to increase south Delta exports, during the fall and winter months can influence or obscure olfactory and hydrologic cues utilized during upstream migration, and cause reverse flows in the Central Delta. Flows from the Mokelumne River during the fall and winter can be dwarfed by the magnitude of flow through the Delta towards the export pumps. This contributes to diminished adult attraction to the Mokelumne River and, in combination with reverse flows in the Central Delta, impedes the ability of Mokelumne River stock to effectively locate the Mokelumne River. This is especially critical for adult Chinook salmon migrating through the Delta in late September, October and November.

Increased project pumping will alter flow patterns within the Delta that can cause redirection, delay, and lower survival of juvenile Chinook salmon smolts migrating from the Mokelumne River in late spring and early summer. Rotary screw trap monitoring on the Lower Mokelumne River shows that, on average, 28% of the Chinook salmon smolts emigrate during the month of June. This migration timing is later than Chinook salmon smolts emigrating from the San Joaquin River and the period of export reductions under the Vernalis Adaptive Management Plan (VAMP).

The effects of salmon straying away from the Mokelumne River, combined with the impacts of increased pumping on outmigrating salmon, can be significant impediments to achieving fishery management goals established for improving salmonid population abundance on the Mokelumne River. Higher export rates can also compel hatchery programs to release more fish downstream

of the Delta, which may also increase straying rates as the smolts imprint on the water at the release location instead of the water where they were reared.

The Project elements will lead to large changes in the flow and transport in the Delta, both quantitatively and qualitatively. As part of the analysis of these changes EBMUD suggests the Draft EIS/EIR include the following quantitative assessments related to the potential for Mokelumne River fishery impacts:

a. Radio telemetry studies should be conducted in the South Delta to determine the risk of entrainment for juvenile Chinook salmon under different export rates.

b. Sonic tagging studies should be conducted on adult Chinook salmon captured at Woodbridge Dam and released downstream in the Central Delta, to determine their ability to relocate the Mokelumne River under different export rates.

c. The stock composition of fish in the SWP export salvage collected under different export rates should be determined by strontium isotope ratios using otolith geochemistry. Since this analytical technique can be used to determine juvenile salmonid watershed and hatchery/wild stock origin, the analysis will help determine which stocks would be most at risk from higher export rates.

d. Particle tracking modeling should be performed so the amount of Mokelumne River flows being pumped at the South Delta can be determined in relation to other sources.

EBMUD would be pleased to provide independent verification of results presented in the Draft EIR/EIS. It would be helpful if the modeling assumptions and other information necessary to conduct fishery, water quality and operations analysis were readily available when the Draft EIR/EIS is published. Important information would include:

e. Gate schedule – schedule of the Delta Cross-Channel and Clifton Court Forebay gate operations under real tide simulations.

f. Export Water Use - the amount and percentages of additional exports that would be used for groundwater storage, surface water storage, increased agricultural consumptive use, increased urban consumptive use, Environmental Water Account, and other uses.

3. Sacramento River Fishery

At the direction of the Freeport Regional Water Authority, EBMUD and the Sacramento County Water Agency are cooperating in the preparation of environmental studies for a project on the Sacramento River near Freeport to allow for delivery of Central Valley Project (CVP) water. Thus, EBMUD also has concerns about any potential adverse effect from the SDIP on special status fish species in the Sacramento River and its tributaries.

4. Delta Levees and Mokelumne Aqueducts

The map attached to the NOP indicates that dredging is planned for a section of Old River adjacent to Victoria Island, immediately south of Woodward Island. The Mokelumne Aqueducts cross Woodward Island, and EBMUD is concerned about any potential adverse impact to the stability or integrity of the levees protecting Woodward Island. The Draft EIR/EIS should specifically identify the expected velocity changes in Old River. Further, if there are velocity increases, the Draft EIR/EIS should describe any potential for scour or other affect upon the levee stability / integrity of Woodward Island. If any adverse effect is expected then mitigation should be proposed as part of the Draft EIR/EIS.

5. Water Supply and Operations

The draft EIR/EIS should analyze and disclose both the positive and negative effects to water supply reliability for the Central Valley Project (CVP) and State Water Project (SWP) contractors, including quantitative analysis of both average year and dry year conditions for the following:

- Changes in upstream reservoir storage levels and associated impacts;
- Changes in flows for north of delta streams and rivers and associated impacts;
- Changes in expected deliveries for Municipal & Industrial CVP and SWP (North of Delta and South of Delta) contractors;
- Changes in expected deliveries for Agricultural CVP and SWP (North of Delta and South of Delta) contractors.

Thank you for your consideration of these comments. If you have any questions please call Mr. Brian Campbell, Senior Engineering Planner, at (510) 287-0680 for more information.

Sincerely,

John B. Lampe
Director of Water & Natural Resources

JBL:BC